

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

DAIZEY KINN, individually and as  
Personal Representative of the Estate of  
Shannon Renee McBee, Deceased, and  
on behalf of JEREMY BAXTER,  
HUNTER BAXTER, AND MAXWEL  
BAXTER,

Plaintiffs,

vs.

UNITED STATES BAKERY d/b/a  
FRANZ FAMILY BAKERIES,

Defendant.

CV 19-24-M-DLC-KLD

**ORDER**

On January 29, 2020, Plaintiffs filed an unopposed motion for leave to file three exhibits in support of their Motion for Partial Summary Judgment re: Interstate Commerce under seal. The documents at issue consist of a contractual agreement between Albertsons/Safeway and Defendant United States Bakery, a series of documents titled as “invoices” containing specific items and quantities of bread product delivered to the Albertsons in Lewistown, Montana, and an excerpt of a report showing bread deliveries to Albertsons with those that originated at bakeries out-of-state.

On January 31, 2020, the Court issued an order giving Defendant United States Bakery until February 7, 2020, within which to make a showing, by affidavit or otherwise, of compelling reasons why Plaintiffs' Exhibits G, H, and I should be filed under seal. United States Bakery thereafter filed a response and affidavit in support of filing Exhibits G and H under seal and filing a redacted version of Exhibit I in the public record. (Doc. 41.)

Defendants have adequately shown that compelling reasons exist for filing the exhibits under seal or in redacted form. The exhibits include proprietary business information, the disclosure of which would constitute a breach of confidentiality and could result in harm to Defendant's competitive standing. Plaintiffs' unopposed motion for leave to file exhibits under seal (Doc. 32) is therefore GRANTED as follows: Plaintiffs may file Exhibits G and H under seal and Exhibit I in redacted form.

DATED this 11th day of February, 2020.



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Kathleen L. DeSoto  
United States Magistrate Judge